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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/564,197

10/24/2006

Fritz Enderweit

2145-156

7453

6449

7590

04/11/2008

ROTHWELL, FIGG, ERNST & MANBECK, P.C.

1425 K STREET, N.W.

SUITE 800

WASHINGTON, DC 20005

EXAMINER

ADAMS, BRET W

ART UNIT

PAPER NUMBER

2855

NOTIFICATION DATE

DELIVERY MODE

04/11/2008

ELECTRONIC

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

PTO-PAT-Email@rfem.com

<b>Office Action Summary</b>	<b>Application No.</b>	<b>Applicant(s)</b>	
	10/564,197	ENDERWEIT, FRITZ	
	<b>Examiner</b>	<b>Art Unit</b>	
	BRET ADAMS	2855	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

#### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

#### Status

- 1) ☒ Responsive to communication(s) filed on 1/11/2006.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

#### Disposition of Claims

- 4) ☒ Claim(s) 1-11 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-11 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

#### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

#### Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

#### Attachment(s)

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)            | 4) <input type="checkbox"/> Interview Summary (PTO-413)                                 |
| 2) <input type="checkbox"/> Notice of Draftperson's Patent Drawing Review (PTO-948)    | Paper No(s)/Mail Date. _____  |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application                       |
| Paper No(s)/Mail Date <u>1/11/2006, 10/24/2006</u> .                                   | 6) <input checked="" type="checkbox"/> Other: <u>JP01216237A with english abstract.</u> |



## **DETAILED ACTION**

### ***Claim Objections***

1. Claim 8 is objected to because of the following informalities: The limitations "the sensing means" and "the display" lack sufficient antecedent basis. For the purposes of examination, the examiner has interpreted the claimed combination in claims 7-9 to read similar to the claimed combination of claims 1-6. Appropriate correction is required to provide proper antecedent basis in claim 8.

### ***Claim Rejections - 35 USC § 112***

1. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

2. Claims 10-11 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite in that it fails to point out what is included or excluded by the claim language. This claim is an omnibus type claim.

### ***Claim Rejections - 35 USC § 102***

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

2. Claims 1-9 rejected under 35 U.S.C. 102(e) as being anticipated by Dishaw (US 7001065B2).

3. Regarding claims 1-6, Dishaw discloses a means for monitoring the assembly of threaded components comprising a station at which two threaded components (16, 18) are to be threadably interengaged, a plurality of infrared camera heat sensors (14, Figure 1) positioned to sense the temperatures of the threaded coupling whilst being threadably engaged or disengaged, a video display output (21) associated with the sensors (14) and adapted to display a pictorial representation which indicates the temperatures of the coupling during assembly or disassembly of the components (refer to col.3 lines 56-65, also the examiner has interpreted "pictorial representation" to encompass video representation as well as charts and/or graphs disclosed in Dishaw). The sensors (14) are angularly displaced around the threaded coupling and function to scan the full outer surface area of the coupling and display a composite output of each of the sensors (Figure 1, col. 7 lines 38-40, and col. 5 lines 29-30 where it is discussed that the signals in more than one location are processed at the same time and in real time).

4. Regarding claims 7-9, Dishaw discloses a system which during normal operation discloses a method for monitoring the assembly of threaded components comprising sensing the temperature of the threaded coupling (16, 18) whilst being engaged or disengaged and monitoring the temperature of the coupling for the occurrence of zones which are the subject of an increased temperature when compared to the remainder of the coupling (refer to col. 4 lines 41-52). Dishaw further discloses that the method comprises using a plurality of infrared camera (14) as the sensing means and a display

(21) which provides a colored representation of the coupling where the change in color is representative of the temperature (col.4 lines 59-65).

***Conclusion***

5. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Entries on PTO-892 cited but not used in a rejection disclose similar structure, function, or field of endeavor as the instant application and as such could be used as a basis for further rejection.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to BRET ADAMS whose telephone number is (571)270-5028. The examiner can normally be reached on M-F 8am-5pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Edward Lefkowitz can be reached on (571)272-2180. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Edward Lefkowitz/  
Supervisory Patent Examiner, Art Unit 2855

/BRET ADAMS/  
Examiner, Art Unit 2855